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10/671,965

09/26/2003

Takeshi Tajima

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12/16/2005

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EXAMINER

HUYNH, CHUCK

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/671,965

Applicant(s)

TAJIMA ET AL.

Examiner

Chuck Huynh

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,8,10,21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,8,10,21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claims 2, 4-7, 9, 11-20 are cancelled.
2. Claims 21-22 are new.

Response to Arguments

1. Applicant's arguments with respect to all claims have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Han.

Regarding claim 1, Han discloses an electronic apparatus for performing a wireless communication using a wireless communication system, the electronic apparatus comprising:

- a wireless communication device which performs wireless communication with a base station using the wireless communication system (Abstract; Col 1, lines 12-18; Col 2, lines 64-67);

- means for storing base station information relating to a position of a base station corresponding to the wireless communication system (location flag (Col 3, lines 66 – Col 4, line 5);

- a position detector for detecting a current position of the electronic apparatus (Col 3, lines 1-4; Col 6, lines 11-25);

- a moving direction detector for detecting a current direction of movement of the electronic apparatus (Col 3, lines 1-4; Col 6, lines 11-25);

- means for predicting one of base stations corresponding to the wireless communication system as a base station targeted for roaming, based on the detected current position of the electronic apparatus, the detected current direction of movement of the electronic apparatus, and the base station information (Col 3, lines 5-8); and

- means for performing a roaming process for switching the base station from a current wireless connected base station to the predicted base station (Col 3, lines 5-8; Col 8, lines 25-39).

Regarding claim 8, Han discloses a wireless communication control method which controls wireless communication performed by an electronic apparatus, the electronic apparatus including a wireless communication device which performs wireless communication with a base station using a wireless communication system, comprising:

detecting a current position of the electronic apparatus (Col 3, lines 1-4; Col 6, lines 11-25) ; and

detecting a current direction of movement of the electronic apparatus (Col 3, lines 1-4; Col 6, lines 11-25);

predicting one of base stations corresponding to the wireless communication system as a base station targeted for roaming, based on the detected current position of the electronic apparatus, the detected current direction of movement of the electronic apparatus, and base station information relating to a position of a base station corresponding to the wireless communication system (Col 3, lines 5-8); and

performing a roaming process for switching the base station from a currently wirelessly connected base station to the predicted base station (Col 3, lines 5-8; Col 8, lines 25-29)

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2683

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3, 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of LeBlanc et al (hereinafter LeBlanc).

Regarding claim 3, Han discloses the position detector includes means for detecting a current position of the vehicle (Col 3, lines 1-4; Col 6, lines 11-25), but Han is unclear about the electronic apparatus being an in-vehicle electronic equipment installed in a vehicle.

However, LeBlanc does disclose the electronic apparatus (wireless telephone) is in-vehicle electronic equipment installed in a vehicle (Col 1, lines 24-37).

It would have been obvious to one ordinarily skilled in the art at the time of the invention to combine LeBlanc's disclosure to provide in-vehicle wireless communication.

Regarding claim 10, Han discloses the wireless communication control method according to claim 8, wherein detecting the current position includes detecting a current position of the vehicle (Col 3, lines 1-4; Col 6, lines 11-25), but Han is unclear on the electronic apparatus is in-vehicle electronic equipment installed in a vehicle.

However, LeBlanc does disclose the electronic apparatus (wireless telephone) is in-vehicle electronic equipment installed in a vehicle (Col 1, lines 24-37).

It would have been obvious to one ordinarily skilled in the art at the time of the invention to combine LeBlanc's disclosure to provide in-vehicle wireless communication.

Regarding claim 21, Han discloses the electronic apparatus according to claim 1, wherein the position detector includes means for detecting a current position of the vehicle, and moving direction detector includes means for detecting a current direction of movement of the vehicle (Col 3, lines 1-4; Col 6, lines 11-25), but Han is unclear on the electronic apparatus is in-vehicle electronic equipment installed in a vehicle.

However, LeBlanc does disclose the electronic apparatus (wireless telephone) is in-vehicle electronic equipment installed in a vehicle (Col 1, lines 24-37).

It would have been obvious to one ordinarily skilled in the art at the time of the invention to combine LeBlanc's disclosure to provide in-vehicle wireless communication.

Regarding claim 22, Han discloses the wireless communication control method according to claim 8, wherein the detecting the current position of the electronic apparatus includes detecting a current position of the vehicle, and the detecting the current direction of movement includes detecting a current direction of movement of the vehicle (Col 3, lines 1-4; Col 6, lines 11-25), but Han is unclear on the electronic apparatus is in-vehicle electronic equipment installed in a vehicle.

However, LeBlanc does disclose the electronic apparatus (wireless telephone) is in-vehicle electronic equipment installed in a vehicle (Col 1, lines 24-37).

It would have been obvious to one ordinarily skilled in the art at the time of the invention to combine LeBlanc's disclosure to provide in-vehicle wireless communication.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chuck Huynh



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